

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA



In re:)
)
JOSEPH DEWAYNE CUDE and)
SARAH ANN CUDE,)
)
Debtors.) Case No. 23-10625-M
) (Chapter 7)

JOSEPH DEWAYNE CUDE and)
SARAH ANN CUDE,)
)
Plaintiffs,)
)
vs.) Adversary No. 23-01016-M
)
HIGHER EDUCATION LOAN)
AUTHORITY OF THE STATE OF)
MISSOURI, a/k/a MOHELA, *et al.*,)
)
Defendants,)
)
and,)
)
EDUCATIONAL CREDIT)
MANAGEMENT CORPORATION,)
)
Intervenor.)

AGREED ORDER AND JUDGMENT OF DISCHARGEABILITY

This proceeding comes on for consideration of the stipulation of dischargeability of the Intervenor, Educational Credit Management Corporation, a non-profit Minnesota corporation (“ECMC”) (Docket Entry # 26, the “Stipulation”), who stipulated that requiring the Debtors and Plaintiffs herein, Joseph Dewayne Cude and Sarah Ann Cude, to repay the outstanding education loan claims held by ECMC (the “ECMC Student Loans”), as more particularly identified and described in ECMC’s answer herein, would constitute an undue hardship as contemplated by 11 U.S.C. § 523(a)(8), and ECMC therein consented to the entry of an Order finding the ECMC Student

Loans, only, should be discharged as part of the general discharge in bankruptcy previously granted to such Debtors and Plaintiffs pursuant to 11 U.S.C. §523(a)(8).

As the Stipulation resolves all outstanding issues before the Court affecting ECMC, only, and this order will be dispositive of same as to ECMC, only, accordingly, the only the ECMC Student Loans identified herein and in ECMC's answer filed in this proceeding should be and are hereby discharged as part of the general discharge in bankruptcy previously granted to such Debtors and Plaintiffs pursuant to 11 U.S.C. §523(a)(8).

IT IS SO ORDERED, ADJUDGED AND DECREED.

DATED: May 31, 2024

BY THE COURT:



TERRENCE L. MICHAEL, CHIEF JUDGE
UNITED STATES BANKRUPTCY COURT

s/ Mac D. Finlayson
MAC D. FINLAYSON, OBA #2921
ELLER & DETRICH, P.C.
2727 East 21st Street, Ste. 200
Tulsa, OK 74114-3533
Telephone: 918.747.8900
Facsimile: 918.392.9452
E-mail: mfinlayson@ellerdetrich.com

**ATTORNEY FOR INTERVENOR,
EDUCATIONAL CREDIT
MANAGEMENT CORPORATION**